

REMARKS

This is a full and timely response to the non-final Office Action of March 25, 2005. Reexamination, reconsideration, and allowance of the application and all presently pending claims are respectfully requested.

Upon entry of this First Response, claims 1-30 are pending in this application. Claims 1, 5-7, 11-13, and 15 are directly amended herein, and claims 22-30 are newly added. Furthermore, the drawings and specification have been amended to correct for minor errors and/or inconsistencies in the instant application. In particular, with respect to the drawings, Figures 6 and 7 have been amended to replace the reference numeral "81" with the reference numeral "101." It is believed that all of the foregoing amendments add no new matter to the present application.

Claim Objections

Claims 1, 5-7, 11-13, and 15 are objected to as purportedly including a vague term. In particular, it is alleged that the term "different" in reference to "format" is vague. Applicants respectfully disagree and believe that the term "different" is not vague. However, Applicants have amended the foregoing claims to better define the intended scope of these claims, and Applicants believe that such amendments moot the alleged informalities of claims 1, 5-7, 11-13, and 15. Thus, Applicants respectfully request that the objections to claims 1, 5-7, 11-13, and 15 be withdrawn.

Response to Specification and Drawing Objections

The specification and drawings are objected to for allegedly having various informalities. Applicants assert that the specification and drawings have been amended herein to correct for several of the alleged informalities and to comply with several of the requirements set forth in the Office Action regarding the alleged informalities.

However, it is asserted in the Office Action reference numerals “156” and “158” have both been used to designate “generalized output devices.” The Office Action then suggests that “output device 158” should be eliminated from the drawings. Applicants have amended the specification herein to reference the components 156 and 158 more clearly, and, thus, elimination of the “output device 158” is unnecessary. It is believed that the amendments to the specification add no new matter to the instant application.

It is additionally asserted in the Office Action that the drawings include item 531, which is not mentioned in the specification. Applicants submit that none of the drawings include item 531, and the objection to the drawings based on the foregoing grounds is, therefore, improper. In this regard, it is apparently alleged in the Office Action that Figure 15 includes a reference to item 531 that should instead be “551.” However, Applicants observe that Figure 15 already includes reference numeral “551” and, in particular, does not include any item labeled as “531.” Thus, Applicants have made no amendments to Figure 15 herein.

Moreover, Applicants respectfully request that the objections to the specification and drawings be withdrawn.

Response to §103 Rejections

In order for a claim to be properly rejected under 35 U.S.C. §103, the combined teachings of the prior art references must suggest all features of the claimed invention to one of ordinary skill in the art. See, e.g., *In Re Dow Chemical Co.*, 837 F.2d 469, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 642 F.2d 413, 208 U.S.P.Q. 871, 881 (C.C.P.A. 1981). In addition, “(t)he PTO has the burden under section 103 to establish a *prima facie* case of obviousness.” *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988).

Claims 1-13 and 15-21

Claims 1-12 presently stand rejected under 35 U.S.C. §103 as purportedly unpatentable over *Gelb* (U.S. Patent No. 6,515,674 B1) in view of *Malzbender* (“Polynomial Texture Map (.ptm) File Format”). In addition, claims 13 and 15-21 presently stand rejected under 35 U.S.C. §103 as purportedly unpatentable over *Malzbender* in view of *Gelb*. Applicants respectfully assert that *Gelb* is not a proper prior art reference under 35 U.S.C. §103. Therefore, the rejections of claims 1-12, 13, and 15-21 are improper and should be withdrawn.

In this regard, according to 35 U.S.C. §103(c):

“Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.”

Further, at the time the invention of the instant application was made, the instant application and *Gelb* were owned by or subject to an obligation of assignment to Hewlett-Packard Development Company, L.P. See M.P.E.P. §706.02(l)(3). Thus, *Gelb* may not be used as a prior art reference to reject the claimed inventions of the instant application under 35 U.S.C. §103. For at least this

reason, Applicants respectfully request that the 35 U.S.C. §103 rejections of claims 1-12, 13, and 15-21 be withdrawn.

Claim 14

Claim 14 presently stands rejected under 35 U.S.C. §103 as purportedly unpatentable over *Malzbender*. Claim 14 presently reads as follows:

14. A computer-readable medium having a program, the program comprising:
 logic for receiving commands for editing parametric texture maps identified by the commands;
 logic for identifying, based on the commands, spatial operations to be performed on the parametric texture maps;
 logic for determining a format of each of the parametric texture maps;
 and
 logic for selecting different format-specific editors for performing the spatial operations, wherein the selecting logic, for each of the identified spatial operations, is configured to determine which of the format-specific editors is compatible with the determined format of the parametric texture map on which the identified spatial operation is to be performed ***and to instruct the compatible format-specific editor to perform the identified spatial operation***. (Emphasis added).

Applicants respectfully assert that *Malzbender* fails to teach or suggest at least the features of claim 14 highlighted hereinabove. Accordingly, the 35 U.S.C. §103 rejection of claim 14 is improper.

In rejecting claim 14, it is asserted in the Office Action that *Malzbender* teaches:

“logic for selecting different format-specific editors for performing the spatial operations, wherein the selecting logic, for each of the identified spatial operations, is configured to determine which of the format-specific editors is compatible with the determined format of the parametric texture map on which the identified spatial operation is to be performed and to instruct the compatible format-specific editor to perform the identified spatial operation (Section 2.5 discloses the logic for selecting the different format-specific editors [tables] where the file would contain the necessary logic to determine which of the format-specific editors is compatible with the determined format of the parametric texture map and instruct the compatible format-specific editor to perform the identified spatial operation).”

Accordingly, it is apparently alleged in the Office Action that the “table” described by Section 2.5 of *Malzbender* constitutes a “format-specific editor” as described by claim 14. Applicants respectfully disagree. In this regard, a table is a data structure for storing data, which in *Malzbender* apparently defines a parametric texture map. There is nothing in *Malzbender* to indicate that the “table” of Section 2.5 is capable of performing or being instructed to perform a “spatial operation” or any other type of editing operation on the parametric texture map that is being stored by the “table.” Moreover, such “table” does not constitute an “editor,” as described by claim 14, and the Office Action fails to establish a *prima facie* case of obviousness with respect to claim 14.

For at least the above reasons, Applicants respectfully assert that the 35 U.S.C. §103 rejection of claim 14 should be withdrawn.

Claim 26

Claim 26 has been newly added via the amendments set forth herein. Claim 26 reads as follows:

26. A system for editing parametric texture maps, comprising:
a parametric texture map (PTM) editing tool configured to receive a command to perform a spatial operation on a parametric texture map identified by the command; and
a plurality of parametric texture map editors, each of the editors configured to perform the spatial operation on parametric texture maps of at least one respective format,
wherein the PTM editing tool is configured to make determinations as to which of the editors are compatible with which parametric texture map formats and to select different ones of the editors for performing the spatial operation on parametric texture maps of different formats based on the determinations, wherein the PTM editing tool is configured to select one of the editors for performing the spatial operation on the identified parametric texture map based on one of the determinations, the one determination indicating that said one editor is compatible with a format of the identified parametric texture map.

Applicants submit that the cited art fails to disclose or suggest each of the above features of claim 26. Accordingly, claim 26 is allowable.

Claims 22-25 and 27-30

Claims 22-25 and 27-30 have been newly added via the amendments set forth herein. Applicants submit that each of the pending dependent claims 22-25 and 27-30 contains all features of at least one respective independent claim that should be allowed, as argued hereinabove. Accordingly, pending dependent claims 22-25 and 27-30 should be allowed as a matter of law for at least this reason. *In re Fine*, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

CONCLUSION

Applicants respectfully request that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding Applicants' response, the Examiner is encouraged to telephone Applicants' undersigned counsel.

Respectfully submitted,

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